

Head of Development Services
High Peak Borough Council Town Hall
Market Place
BUXTON
Derbyshire
SK17 6EL

Telephone:
Ask for: Glen Donaldson
Email:
Our ref: HPBC/2023/006470
Your ref: HPK/2023/0488
Date: 1 August 2024

Dear Rosie Dinnen

**TOWN AND COUNTRY PLANNING ACT 1990
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY**

PROPOSAL: Proposed 15 dwellings

**LOCATION: Land At Burlow Road And Heathfield Nook Road
Burlow Road
Harpur Hill
Buxton
Derbyshire**

APPLICANT: Mr Jon Stewart-Milne (BDW Ltd.)

Derbyshire County Council, the Highway Authority (HA) acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, note that the HA's previous consultation response raised a number of highway issues and in the intervening period a number of discussions have taken place to try and resolve the highway issues, which has culminated in the recently submitted revised drawings, so from a highways aspect the drawings are now considered acceptable in principle although it should be noted that in order to implement the scheme a separate construction approval process with the Highway Authority will need to be progressed – this scrutinises construction details and will be necessary in order for the Highway Authority to enter into a Section 38 Agreement for any works.

Although the access road will not form part of the Section 38 Agreement, it is likely that minor amendments will be required to the layout for the whole site, so I can confirm that the remaining issues may be addressed by appropriate conditions appended to the consent issued for this development. The principle of development has already been accepted from a highways aspect and, as highlighted above, notwithstanding the information already submitted further minor modifications could well be required as part of the subsequent Section 38 construction approval processes with the Highway Authority and on this basis the Highway Authority would recommend the following Condition/Note are appended to any consent granted:

Condition:

1. The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawings SCP 17434 ATR01 Rev F, SCP 17434 D06 and 473-ED-123.

Reason: To ensure conformity with submitted details.

Informative Note

- To make the proposals acceptable to the Local Highway Authority, amended Section 38 Agreement drawings are required. This is governed by legislation outside the planning process and administered by the Local Highway Authority. Consequently, you should not commence your permitted works until details of the site have been submitted to the Local Highway Authority. The approved details will be required to undergo the legal process required which will be at the applicant's expense.

Yours Sincerely

Glen Donaldson
Highways Development Control